

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID RIOS,

Plaintiff

v.

DAUPHIN COUNTY PRISON,

Defendant

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CIVIL NO. 4:17-CV-671

(Judge Brann)

ORDER

MAY 16, 2017

In accordance with the accompanying Memorandum, **IT IS HEREBY**

ORDERED that:

1. Plaintiff's action is **DISMISSED WITHOUT PREJUDICE** as frivolous pursuant to 28 U.S.C. § 1915.
2. The Clerk of Court is directed to **CLOSE** the case.
3. Any appeal from this Order will be deemed frivolous, without probable cause and not taken in good faith.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge